

account, duplicates of pages 1 and 2 and the signature page of this response are submitted herewith.

### AMENDMENTS

Please amend claims 6, 10, 17, 26, 30, and 33 as follows. A clean copy of the amended claims appears below, and a marked-up copy is attached at the end of this communication.

#### In the Claims:

A' 6. (Once Amended) The supplement according to claim 2, wherein the citrate is present in a range of about 0.1 mM to about 1.0 mM when added to the medium.

10. (Once Amended) A mammalian culture medium comprising recombinant human albumin and a medium that can support cell development, wherein the mammalian culture medium is capable of increasing the viability of gametes or embryonic cells cultured in the medium.

17. (Once Amended) A mammalian culture medium comprising fermented hyaluronan and a medium that can support cell development, wherein the mammalian culture medium is capable of increasing the viability of gametes or embryonic cells cultured in the medium.

26. (Once Amended) A kit for supplementation of mammalian culture medium, comprising:

- (a) a medium comprising one or more ingredients selected from the group consisting of mammalian culture medium, recombinant human albumin, fermented hyaluronan, citrate and combinations thereof, wherein the medium is capable of increasing the viability of gametes or embryonic cells cultured in the medium; and
- (b) instructions for use of the kit.

30. (Once Amended) A mammalian culture medium consisting essentially of:

- (a) a medium that can support mammalian embryo or cell development;
- (b) recombinant human albumin in an amount from about 0.1 mg/ml to about

20.0 mg/ml;

- DB SUB B1
- (c) fermented hyaluronan in an amount from about 0.1 mg/ml to about 5.0 mg/ml; and
- (d) citrate in a concentration from about 0.1 mM to about 5.0 mM, wherein the mammalian culture medium is capable of increasing the viability of gametes or embryonic cells cultured in the medium.

33. (Once Amended) A mammalian culture medium supplement consisting essentially of:

- DB SUB B5
- (a) recombinant human albumin in an amount from about 0.125 mg/ml to about 20.0 mg/ml;
- (b) fermented hyaluronan in an amount from about 0.1 mg/ml to about 5.0 mg/ml; and
- (c) citrate in a concentration from about 0.1 mM to about 5.0 mM, wherein the mammalian culture medium is capable of increasing the viability of gametes or embryonic cells cultured in the medium.

#### REMARKS

Claims 1-34 are pending in the application. Claims 21-25 and 34 have been withdrawn from consideration. Claims 6, 10, 17, 26, 30, and 33 have been amended. The proposed amendments add no new matter, are supported by the application as filed, and are otherwise proper. As demonstrated herein, each of the rejections is believed overcome, with the application being placed in condition for allowance. Accordingly, favorable reconsideration and allowance of this application is respectfully requested.

#### *I. Rejection of Claims Under 35 U.S.C. § 112 Second Paragraph*

In the Office Action claims 1-9, 12-14, 17-20, and 33 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner contends that the phrase "fermented hyaluronan" is indefinite because "it is unclear if hyaluronan (HYN) is a product of any non-warm-blooded vertebrate, or if fermented HYN is a product produced by streptococcal fermentation of HYN, or if it is derived by other means." Applicants respectfully traverse.